

CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number _____

Meeting Type: Regular

Meeting Date: 9/10/2015

Action Requested By:
Planning

Agenda Item Type
Ordinance

Subject Matter:

Corrected ordinance for annexation of land.

Exact Wording for the Agenda:

Ordinance to correct an error in the legal description of land annexed and described in Ordinance 15-452.

Note: If amendment, please state title and number of the original

Item to be considered for: Action

Unanimous Consent Required: No

Briefly state why the action is required; why it is recommended; what Council action will provide, allow and accomplish and; any other information that might be helpful.

Additional information attached.

Associated Cost:

Budgeted Item: Not applicable

MAYOR RECOMMENDS OR CONCURS: Select...

Department Head: 

Date: 8/27/2015

ORDINANCE NO. 15-

WHEREAS, Robin A. Sterling has petitioned the governing body of the City of Huntsville, Alabama, requesting that certain property or territory be annexed to the City of Huntsville, Alabama; and

WHEREAS, said petition contained the signature of the owner of the property as the same is assessed for ad valorem tax purposes; and

WHEREAS, said property is contiguous to the present city limits of the City of Huntsville, Alabama, and does not lie within the corporate limits of any other municipality; and

WHEREAS, a map of said territory showing its relationship to the corporate limits of the City of Huntsville, Alabama, has been filed with the City Clerk-Treasurer; and

WHEREAS, it is the judgement and opinion of the City Council of the City of Huntsville, Alabama, that it is necessary and proper and in the public interest that said property be brought within the corporate limits of the City of Huntsville, Alabama;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Huntsville, Alabama, as follows;

1. That the City Council of the City of Huntsville, Alabama hereby assents to the annexation of certain property to the City of Huntsville, Alabama, which said property as hereinabove referenced is more particularly described as follows:

All that part of Section 26, Township 4 South, Range 1 East, of the Huntsville Meridian, Madison County, Alabama, more particularly described as beginning at a point located at the southwest corner of Section 26; thence from the point of beginning and along the south boundary of said Section 26 Due East 2,851.49 feet; thence leaving said boundary North 04 degrees 11 minutes 15 seconds East 692.77 feet to a point located on the east right-of-way of Woodside Drive; said point is further described as the point of true beginning; thence from point of true beginning and along said right-of-way North 05 degrees 20 minutes 25 seconds East 196.99 feet; thence leaving said right-of-way South 88 degrees 34 minutes 48 seconds East 236.84 feet to a point; said point is further described as being located on the existing corporate limits of the City of Huntsville; thence South 00 degrees 52 minutes 35 seconds West 328.15 feet; thence leaving existing corporate limits North 60 degrees 13 minutes 56 seconds West 276.25 to the point of true beginning and containing 1.44 acres, more or less.

ORDINANCE NO. 15-_____

2. That the corporate limits of the City of Huntsville, Alabama, are hereby extended and rearranged so as to embrace and include the hereinafter property as part of the corporate area of the City of Huntsville.

3. That this ordinance replaces Ordinance Number 15-452.

4. That this ordinance shall become effective upon its publication as required by law.

5. That the Mayor and City Clerk-Treasurer of the City of Huntsville, Alabama, are hereby authorized, requested and directed for and on behalf of the governing body of the City to file a description of the property or territory herein annexed in the Judge of Probate Office of Madison County.

ADOPTED this the ____ day of _____, 2015.

President or President Pro Tem of the
City Council of the City of
Huntsville, Alabama.

APPROVED this the ____ day of _____, 2015.

Mayor of the City of Huntsville,
Alabama

STATE OF ALABAMA
COUNTY OF MADISON

PETITION FOR ANNEXATION TO THE CITY OF
HUNTSVILLE, ALABAMA, UNDER ACT NO. 2228
S.134, 1971 REGULAR SESSION

TO: The City Clerk-Treasurer of the City of Huntsville, Alabama

The undersigned, Robin A. Sterling, hereby petitions the Mayor and City Council of the City of Huntsville, Alabama, to bring the hereinafter described property within the corporate limits of the City of Huntsville under the provisions of Act No. 2228, S. 134, of the 1971 Regular Session of the Legislature of Alabama. The undersigned respectfully requests that the property or territory hereinafter described be annexed to the City of Huntsville. I further certify that I have the right and authority to make and file this petition for annexation, that said property is contiguous to the existing corporate limits of the City of Huntsville, Alabama, which said City has a population of more than 2,000, and that said property does not lie within the corporate limits of any other municipality, and I do hereby respectfully petition the Mayor and City Council of the City of Huntsville to adopt an ordinance assenting to the annexation of said property to the City of Huntsville. I further certify that the property is assessed for ad valorem tax purposes in the name of Robin A. Sterling.

All that part of Section 26, Township 4 South, Range 1 East, of the Huntsville Meridian, Madison County, Alabama, more particularly described as beginning at a point located at the southwest corner of Section 26; thence from the point of beginning and along the south boundary of said Section 26 Due East 2,851.49 feet; thence leaving said boundary North 04 degrees 11 minutes 15 seconds East 692.77 feet to a point located on the east right-of-way of Woodside Drive; said point is further described as the point of true beginning; thence from point of true beginning and along said right-of-way North 05 degrees 20 minutes 25 seconds East 196.99 feet; thence leaving said right-of-way South 88 degrees 34 minutes 48 seconds East 236.84 feet to a point; said point is further described as being located on the existing corporate limits of the City of Huntsville; thence South 00 degrees 52 minutes 35 seconds West 328.15 feet; thence leaving existing corporate limits North 60 degrees 13 minutes 56 seconds West 276.25 to the point of true beginning and containing 1.44 acres, more or less.

Attached hereto marked Exhibit A is a map of said territory showing its relationship to the corporate limits of the City of Huntsville, which said map is further identified as being entitled "Sterling Property to be Annexed."

IN WITNESS WHEREOF, the undersigned have set their hand and seal the date herein indicated.

PREPARED BY
CITY OF HUNTSVILLE
PLANNING DIVISION

Robin A. Sterling (SEAL)
Signature of Owner/Authorized Representative

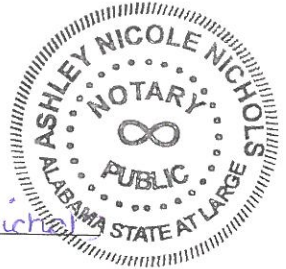
STATE OF ALABAMA

COUNTY OF MADISON

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Robin A. Sterling whose name is signed to the foregoing annexation petition and who is known to me, acknowledged before me on this date that, being informed of the contents of the within annexation petition, he/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal of office, this the 17TH day of JUNE, 2015.

Ashley Nicole Nichols
NOTARY-PUBLIC



MY COMMISSION EXPIRES 8-13-2016

EXHIBIT A: STERLING PROPERTY TO BE ANNEXED

